

ANTONSSON et al
Appl. No. 10/776,245
August 13, 2007

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REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1, 3-38, 47-49, and 52-65 are in the case.

I. THE 35 U.S.C. §112, SECOND PARAGRAPH REJECTION

Claims 1, 3-5, 8, 13-23, 26-30, 33-38, 53 and 56-58 -38, 53 and 56-58 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite for the reasons detailed on pages 3 and 4 of the Action. This rejection is respectfully traversed.

Claim 1 and certain dependent claims stand rejected because of alleged lack of clarity in the definition of R^1 . Without conceding to any merit in this aspect of the formal rejection, claim 1 has been amended to specify that R^1 represents $-R^3$ or $-A^1C(O)N(R^4)R^5$ in which A^1 represents C_{1-3} alkylene or $-A^1C(O)OR^4$ in which A^1 represents C_{1-5} alkylene.

Claim 57 (and claim 58) stands rejected on the ground that it relates to the separate use of components in the treatment of a condition in which inhibition of thrombin is required. The Action alleges that, because of the dependency of claim 53 on claim 1, there is insufficient antecedent basis for separate use, as claim 1 relates to a pharmaceutical formulation in which components are combined. This rejection is respectfully traversed.

Claim 57 is dependent on claim 53, which clearly relates to a combination (of separate components) comprising a component (a), which is acetylsalicylic acid, and a component (b), which is compound of Formula I "as **defined in Claim 1**" (emphasis

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added). Therefore, claim 53 is not actually dependent on claim 1 but refers to claim 1 to avoid repetition of all of the definitions provided for the substituents in a compound of Formula I. It is believed therefore that proper antecedent basis is present.

Withdrawal of the outstanding 35 U.S.C. §112, second paragraph, rejection is now believed to be in order. Such action is respectfully requested.

II. OBVIOUSNESS-TYPE DOUBLE PATENTING

Claims 1, 3-38 and 52-58 stand rejected on obviousness-type double patenting grounds as allegedly unpatentable over claims 1-39 and 45 of U.S. Patent 6,262,028. Claims 1, 10-13, 31-35, 37 and 52-58 are rejected on obviousness-type double patenting grounds as allegedly unpatentable over claims 1-14 of U.S. Patent 5,965,692. In response, and without conceding to any merit in this rejection, a Terminal Disclaimer executed by the undersigned, together with the appropriate fee, are is submitted herewith. Withdrawal of the obviousness-type double patenting rejections is now respectfully requested.

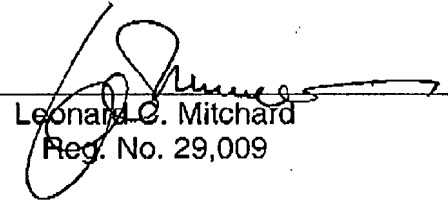
Favorable action on this application is awaited.

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Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Leonard C. Mitchard
Reg. No. 29,009

LCM:lfm
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
Attachment: Executed Terminal Disclaimer; fee